

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

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WRIT PETITION No.9698 of 1999

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Dated : 04.04.2007

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Between:

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A.Ganga Raju

... PETITIONER

And:

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Government of Andhra Pradesh, rep., by its Secretary,
Revenue (Assignment.I) Department, Secretariat
Buildings, Hyderabad and another.

....RESPONDENTS

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ORDER:

Petitioner claims to be a freedom fighter. The Government alleged to have sanctioned an extent of Acs.5.00 of dry land in his favour considering his representation dated 11.08.1993, and the first respondent, vide proceedings dated 02.03.1994, directed the second respondent to assign the said extent in favour of the petitioner. Subsequently, the Government of Andhra Pradesh issued G.O.Ms.No.185 Revenue (Assignment.I) Department, dated 11.03.1997, reviewing the earlier orders issued by it regarding assignment of agricultural lands and house sites to political sufferers. Based on the said Government Order, the first respondent issued proceedings dated 31.10.1997 stating that the request of the petitioner for assignment of Government land in Visakhapatnam District cannot be considered. Aggrieved thereby, this writ petition is filed.

Despite service of notice, the respondents have not chosen to file any counter.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

In support of his claim for assignment of the land, petitioner relies on clauses (4) and (5) of G.O.Ms.No.185 dated 11.03.1997. No doubt, as per the said clauses, a maximum extent of 300 square yards may be allotted as house sites to the freedom fighters. However, it is to be seen that as per clause (1) of the said Government Order the agricultural lands in Visakhapatnam, Hyderabad and Rangareddy Districts cannot be assigned to freedom fighters, as they are required for Government Purpose, and clauses (4) and (5) relates to other Districts. So, as the petitioner admittedly hails from Visakhapatnam, he is not entitled to any assignment as per clause (1) of G.O.Ms.No.185. The said Government Order must be read as a whole, and the petitioner cannot seek any benefit under a particular clause ignoring the rest. If the petitioner has any grievance, he has to question clause (1) of G.O.Ms.No.185. Therefore, this Court is of the view that impugned order is passed in accordance with G.O.Ms.No.185, which needs no interference.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

04.04.2007

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